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5 CHRISTOPHER RYAN BUSBY

6  
7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**

9  
10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 CHRISTOPHER RYAN BUSBY,

14 Defendant.

15 Case No.: 2:15-cr-00353-GMN-NJK

16 **STIPULATION TO CONTINUE**  
17 **EVIDENTIARY HEARING**

18 **(Fourth Request)**

19 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,  
United States Attorney, and Nadia Ahmed, Assistant United States Attorney, and Angela Dows,  
Esq., counsel for the Defendant, Christopher Ryan Busby, that: (a) the evidentiary hearing  
regarding Defendant's Motion Pursuant to 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct  
Sentence by a Person in Federal Custody (ECF No. 184), currently set for September 16, 2024,  
along with (b) the deadline for the joint preliminary brief, be vacated and continued to a date and  
time convenient to the Court, but no sooner than sixty (60) days.

20 This Stipulation is entered into for the following reasons:

21 1. On October 10, 2023, the Court issued an Order denying Busby's motion in part  
and preserving for evidentiary hearing certain of his claims relating to alleged ineffective  
assistance of his defense counsel (ECF No. 203).

22 2. Pursuant to the parties' request, the Court set the evidentiary hearing for February  
29, 2024. (ECF No. 207). The parties subsequently submitted one or more stipulations to continue

1 the evidentiary hearing, with continued evidentiary hearing dates of May 1, 2024, July 1, 2024,  
2 and September 16, 2024. (ECF No. 212; ECF No. 234).

3       3. The Court ordered the parties to submit a joint preliminary brief listing the  
4 witnesses the parties intend to call, and explaining the issues the parties intend to clarify and  
5 develop at the hearing, which currently has a due date of on or before September 3, 2024.

6       4. Counsel for the defendant hired a computer forensic expert in the matter.  
7 Without disclosing a level of detail that may include work product, said expert has not yet been  
8 able to complete its review of the discovery and complete the work anticipated in the case.  
9 Said computer expert is still in the review process. Due to the nature of the case, a review of the  
10 underlying computer information requires an appointment at a facility in which the information  
11 is stored at a work station with law enforcement. Per the expert, said expert has been able to  
12 coordinate a visit at the facility on May 9, 2024; May 13, 2024, and May 14, 2024. As of the  
13 end of May, 2024, at least one additional appointment was anticipated by the expert to review  
14 the information at the law enforcement facility.

15       5. On May 10, 2024, Busby was assaulted by another inmate at the Nevada Southern  
16 Detention Center in Pahrump Nevada. The assault resulted in Busby losing several teeth, having  
17 facial fractures requiring surgical installation of metal plates, and a compromised eye socket.  
18 Busby is continuing to work through medical treatment related to the injuries. The medical  
19 treatment has limited the availability of counsel to confer with the client.

20       6. On May 19, 2024, counsel for Busby filed a motion for leave to file first amended  
21 motion to vacate. Said motion was denied on July 2, 2024. (ECF No. 239; ECF No. 242; ECF  
22 No. 254).

7. On June 4, 2024, and July 16, 2024, in part, counsel for Busby filed an original and renewed motion for discovery, to wit the issuance of certain document subpoenas. (ECF No. 243; ECF No. 255). Said renewed motion was granted on August 5, 2024. (ECF No. 260.)

8. On July 18, 2024, the Court granted Busby's motion for sentence reduction, reducing the term of imprisonment from 121 months to 113 months. (ECF No. 257.) In relation to said sentence reduction, Busby is or will be transported via the Bureau of Prisons to be eventually processed out of Busby's current custody status. Said processing necessarily required movement of Busby from the local pretrial facility to a facility in or near Michigan, USA, which is anticipated the week of August 19, 2024, or the week of August 26, 2024.

9. The current listed release date for Busby is in August of 2025. (See <https://www.bop.gov/inmateloc/> (under search for “Christopher Busby” as of August 23, 2024)).

10. The defendant is in custody and agrees with the need for the continuance.

11. Additionally, denial of this request for continuance could result in a miscarriage of justice.

12. This is the fourth request for a continuance filed herein.

13. Accordingly, the parties request a sixty (60) day continuance of the hearing date and joint preliminary brief.

DATED this 27th day of August 2024.

Respectfully submitted

JASON M. FRIERSON  
United States Attorney

/s/ *Nadia J. Ahmed*

NADIA J. AHMED  
Assistant United States Attorney

/s/ *Angela H. Dows*  
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Attorney for CHRISTOPHER

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

CHRISTOPHER RYAN BUSBY,

Defendant.

Case No.: 2:15-cr-00353-GMN-NJK

## **ORDER**

IT IS THEREFORE ORDERED that the evidentiary hearing scheduled for Petitioner Christopher Ryan Busby's Motion to Vacate, Set Aside, or Correct Sentence Under 28 U.S.C. § 2255 (ECF No. 184), currently scheduled for September 16, 2024, be vacated and continued to November 18, 2024 at the hour of 9:00 AM .

IT IS FURTHER ORDERED that the deadline for filing the joint preliminary brief be continued to November 4, 2024.

DATED this 27 day of August, 2024.

  
John